## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applic	ation of:	)		
		)	Art Unit:	2131
<b>Robert Day</b>	vid Graham	)		
C:-1 N	09/447,500	)	Examiner:	T. Arani
Serial No.:	09/447,500	)	Docket No.:	05456.105034
Filed:	November 23, 1999	)		
	,	)	Conf. No.:	3902
For: Metho	od and Apparatus for Providing	)		
Netwo	ork and Computer System Security	)		

## INFORMATION DISCLOSURE STATEMENT ("IDS") WITH AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT THE APPROPRIATE FEE TO CONSIDER THE IDS

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement ("IDS") for consideration by the Examiner. The patents, publications or other information submitted for consideration by the Patent Office are listed on Form PTO-1449, attached hereto. Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

Except as may be indicated below, all of the patents, publications or other information are in the English language, a copy of which is attached hereto and therefore, a concise explanation of each reference is not required. The following additional information is provided for the Examiner's consideration.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 22, 2005.

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To assist the Examiner in reviewing this IDS, the Applicant has conducted a key word search of each U.S. patent and U.S. patent application publication listed on the attached Form PTO-1449. The Applicant used the following search terms in his query of the U.S. patents and U.S. patent application publications: (1) "computer\$"; (2) "(variable\$ or level\$ or degree\$)" (3) "(scan or scann\$)", (4) "secur\$", and (5) "network\$." The Applicant used Boolean logic when performing this search in which each term was linked by the logical connector "AND." A search of these U.S. patents and U.S. patent application publications using the aforementioned terms and Boolean search logic yielded the following results (57 patents and 5 publications):

U.S. Patents
U.S. Patent No. 5,032,979 to Hecht et al.
U.S. Patent No. 5,359,659 to Rosenthal
U.S. Patent No. 5,414,833 to Hershey et al.
U.S. Patent No. 5,440,723 to Arnold et al.
U.S. Patent No. 5,475,839 to Watson et al.
U.S. Patent No. 5,649,185 to Antognini et al.
U.S. Patent No. 5,764,890 to Glasser et al.
U.S. Patent No. 5,796,942 to Esbensen
U.S. Patent No. 5,815,574 to Fortinsky
U.S. Patent No. 5,832,208 to Chen et al.
U.S. Patent No. 5,842,002 to Schnurer et al.
U.S. Patent No. 5,919,258 to Kayashima et al.
U.S. Patent No. 5,940,591 to Boyle et al.
U.S. Patent No. 5,983,348 to Ji
U.S. Patent No. 5,987,610 to Franczek et al.
U.S. Patent No. 6,006,016 to Faigon et al.
U.S. Patent No. 6,016,553 to Schneider et al.
U.S. Patent No. 6,041,347 to Harsham et al.
U.S. Patent No. 6,061,795 to Dircks et al.
U.S. Patent No. 6,070,190 to Reps et al.
U.S. Patent No. 6,081,894 to Mann
U.S. Patent No. 6,094,731 to Waldin et al.
U.S. Patent No. 6,185,689 to Todd, Sr. et al.
U.S. Patent No. 6,205,552 to Fudge
U.S. Patent No. 6,226,372 to Beebe et al.
U.S. Patent No. 6,271,840 to Finseth et al.
U.S. Patent No. 6,272,641 to Ji
U.S. Patent No. 6,275,938 to Bond et al.
U.S. Patent No. 6,298,445 to Shostack et al.

U.S. Patents
U.S. Patent No. 6,301,668 to Gleichauf et al.
U.S. Patent No. 6,321,338 to Porras et al.
U.S. Patent No. 6,324,647 to Bowman-Amuah
U.S. Patent No. 6,347,374 to Drake et al.
U.S. Patent No. 6,353,385 to Molini et al.
U.S. Patent No. 6,405,318 to Rowland
U.S. Patent No. 6,405,364 to Bowman-Amuah
U.S. Patent No. 6,438,600 to Greenfield et al.
U.S. Patent No. 6,460,141 to Olden
U.S. Patent No. 6,484,203 to Porras et al.
U.S. Patent No. 6,519,647 to Howard et al.
U.S. Patent No. 6,530,024 to Proctor
U.S. Patent No. 6,535,227 to Fox et al.
U.S. Patent No. 6,546,493 to Magdych et al.
U.S. Patent No. 6,574,737 to Kingsford et al.
U.S. Patent No. 6,578,147 to Shanklin et al.
U.S. Patent No. 6,584,454 to Hummel, Jr. et al.
U.S. Patent No. 6,601,190 to Meyer et al.
U.S. Patent No. 6,606,744 to Mikurak
U.S. Patent No. 6,647,400 to Moran
U.S. Patent No. 6,661,904 to Sasich et al.
U.S. Patent No. 6,681,331 to Munson et al.
U.S. Patent No. 6,691,232 to Wood et al.
U.S. Patent No. 6,704,874 to Porras et al.
U.S. Patent No. 6,708,212 to Porras et al.
U.S. Patent No. 6,711,615 to Porras et al.
U.S. Patent No. 6,725,377 to Kouznetsov
U.S. Patent No. 6,775,780 to Muttik

## U.S. Patent Application Publications U.S. Patent Application Publication No. 2001/0034847 to Gaul, Jr. U.S. Patent Application Publication No. 2002/0144156 to Copeland, III U.S. Patent Application Publication No. 2003/0088791 to Porras et al. U.S. Patent Application Publication No. 2003/0212903 to Porras et al. U.S. Patent Application Publication No. 2004/0010718 to Porras et al.

The Applicant submits that these search terms cannot be interpreted as providing

emphasis on these terms when the claims are interpreted and construed by both the Examiner and

the courts. The Applicant merely selected these terms to identify the prior art that may be more

relevant than prior art that do not contain these search terms.

To further assist the Examiner, the Applicant has organized each of the U.S. Patents and

U.S. Patent Application Publications according to classification. For the non-U.S. patent prior

art, the Applicant has annotated Form PTO-1449 with the location of each document in a

respective box.

The Applicant exerted this additional time and effort to help the Examiner so that if a

patent is ever issued on this patent application, third parties will understand that the Applicant

submitted the attached prior art on a good faith basis. The Applicant recognizes that the attached

prior art is voluminous but it is not the Applicant's intent to "bury" any patents that maybe more

pertinent than other ones. The Applicant does not want to dismiss any reference that he is aware

of as cumulative in order to prevent third parties from arguing that the Applicant intentionally did

not submit any prior art in an effort to deceive the Examiner and the Patent Office.

This IDS is being filed under 37 C.F.R. § 1.97(c)(2), before the mailing date of any of a

final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311, or an action

that otherwise closes prosecution in the application. No certification is required. The

Commissioner is authorized to charge the \$180.00 fee set forth in 37 C.F.R. § 1.17(p) to Deposit

Account No. 11-0980. Please charge any additional fees pursuant to 37 C.F.R. §§ 1.16 or 1.17 to

Deposit Account No. 11-0980.

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Appl. No. 09/447,500 Information Disclosure Statement Docket No. 05456.105034

If the Examiner has any questions concerning this IDS, he is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the Patent Office is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 11-0980.

Respectfully submitted,

KING & SPALDING LLP

Steven P. Wygmore, Esq. Reg. No. 40,447

Enclosures:

- 1. Form PTO-1449
- 2. Foreign Patents
- 3. Publications
- 4. Postcard

		LIST OF	INFOR		ON DISCLOSE eral sheets if necessary		LICANT				
ATTY. DOC	KET NO	C	SERIAL NO.	·	FILING DATE						
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE		NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE			
	AA	5,696,486	12/9/97	Poliquin	et al.	340					
	AB	6,353,385	3/5/02	Molini e	t al.	340					
	DOCKET NO   SERIAL   09/447   10/20			Bennett et al.							
	AD	6,429,952	8/6/02	Olbricht		358		· · · · · · · · · · · · · · · · · · ·			
			Grace		370						
	AF 6,396,845 5/28/0		5/28/02	Sugita		370					
	AG 6,711,127 3/23/		3/23/04	Gorman	et al.	370					
	AH	5,734,697	3/31/98	Jabbarne	ezhad	379					
	AI	6,104,783	8/15/00	DeFino		379					
	AJ	6,226,372	5/1/01	Beebe et	t al.	379					
	AK	6,445,822	9/3/02	Crill et a	ıl.	382					
	AL	6,563,959	5/13/03	Troyank	er	382					
	AM	6,618,501	9/9/03	Osawa e	t al.	382					
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FORM PTO-1449, Adapted LIST OF INFORMATION DISCLOSED BY APPLICANT (Use several sheets if necessary) ATTY. DOCKET NO. SERIAL NO. FILING DATE 05456.105034 09/447,500 November 23, 1999 APPLICANT GROUP Robert David Graham 2131 **U.S. PATENT DOCUMENTS EXAMINER** DOCUMENT NUMBER DATE NAME CLASS SUBCLASS FILING DATE INITIAL IF APPROPRIATE AN 9/30/03 382 6,628,824 Belanger AO 6,647,139 11/11/03 Kunii et al. 382 AP6,661,904 12/9/03 Sasich et al. 382 AQ 6,668,082 12/23/03 Davison et al. 382 AR 6,668,084 12/23/03 Minami 382 AS 9/14/04 382 6,792,144 Yan et al. AT 5,345,595 9/6/94 Johnson et al. 455 AU 8/21/01 455 6,278,886 Hwang AV5/11/93 702 5,210,704 Husseiny AW 5,842,002 11/24/98 Schnurer et al. 703 703 AX12/29/98 5,854,916 Nachenberg 703 AY 5,999,723 12/7/99 Nachenberg AZ703 6,067,410 5/23/00 Nachenberg BA 5,864,803 1/26/99 Nussbaum 704 FOREIGN PATENT DOCUMENTS TRANSLATION DOCUMENT NUMBER DATE COUNTRY NAME YES OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.) **EXAMINER DATE CONSIDERED** EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in

conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449, Adapted LIST OF INFORMATION DISCLOSED BY APPLICANT (Use several sheets if necessary) ATTY. DOCKET NO. SERIAL NO. FILING DATE 05456.105034 09/447,500 November 23, 1999 APPLICANT GROUP Robert David Graham 2131 **U.S. PATENT DOCUMENTS EXAMINER** DOCUMENT NUMBER DATE NAME FILING DATE IF APPROPRIATE CLASS SUBCLASS INITIAL BB6,014,645 1/11/00 Cunningham 705 BC 6,584,454 6/24/03 Hummel, Jr. et al. 705 BD 5,675,711 10/7/97 Kephart et al. 706 BE 5,907,834 5/25/99 Kephart et al. 706 BF 5,649,185 7/15/97 Antognini et al. 707 BG 5,857,191 1/5/99 Blackwell, Jr. et al. 707 BH5,878,420 3/2/99 de la Salle 707 ΒI 5,899,999 5/4/99 707 De Bonet BJ6,144,961 11/7/00 de la Salle 707 BK 707 6,161,109 12/12/00 Matamoros et al. BL 6,282,546 8/28/01 707 Gleichauf et al. BM 6,463,426 10/8/02 Lipson et al. 707 FOREIGN PATENT DOCUMENTS TRANSLATION DOCUMENT NUMBER DATE COUNTRY NAME YES NO.

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

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	DT	5,557,742	9/17/96	Smaha et	t al.	713		
	DU	5,586,260	12/17/96	Hu		713		
	DV	5,606,668	2/25/97	Shwed		713		
	DW	5,623,600	4/22/97	Ji et al.		713		
	DX	5,623,601	4/22/97	Vu		713		
	DY	5,696,822	12/9/97	Nachenb	erg	713		
	DZ	5,761,504	6/2/98	Corrigar	n et al.	713		
	EA	5,764,887	6/9/98	Kells et	al.	713		
	ЕВ	5,764,890	6/9/98	Glasser	et al.	713		
	EC	5,787,177	7/28/98	Leppek		713		
	ED	5,796,942	8/18/98	Esbense	n	713		
	EE	5,798,706	8/25/98	Kraeme	r et al.	713		
	EF	5,812,763	9/22/98	Teng		713		
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	EI	5,826,013	10/20/98	Nachenberg		713		
	ЕЈ	5,828,833	10/27/98	Belville et al		713		
	EK	5,832,208	11/3/98	Chen et al.		713		
	EL	5,832,211	11/3/98	Blakley, III e	cley, III et al.			
	ЕМ	5,838,903	11/17/98	Blakely, III e	t al.	713		
	EN	5,845,067	12/1/98	Porter et al.	orter et al.			
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	EP	5,864,665	1/26/99	Tran	Tran			
	EQ	5,875,296	2/23/99	Shi et al.		713	1	
	ER	5,892,903	4/6/99	Klaus		713		
	ES	5,919,257	7/6/99	Trostle		713		
	ЕТ	5,919,258	7/6/99	Kayashima e	t al.	713	1	
	EU	5,925,126	7/20/99	Hsieh		713		
	EV	5,931,946	8/3/99	Terada et al.		713		
	EW	5,940,591	8/17/99	Boyle et al.		713		
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	EX	5,961,644	10/5/99	Kurtzberg et	al.	713					
	EY	5,978,917	11/2/99	Chi		713		· · ·			
	EZ	5,983,348	11/9/99	Ji		713					
	FA 5,983,350 FB 5,987,606			Minear et al.		713					
	FB	5,987,606	11/16/99	Cirasole et al		713					
	FC	5,987,610	11/16/99	Franczek et a	Franczek et al. Freund						
	FD	5,987,611	11/16/99	Freund							
	FE	5,991,881	11/23/99	Conklin et al		713					
	FF	5,999,711	12/7/99	Misra et al.		713					
	FG	6,003,132	12/14/99	Mann		713					
	FH	6,061,795	5/9/00	Dircks et al.		713					
	FI	6,070,244	5/30/00	Orchier et al.		713					
	FJ	6,081,894	6/27/00	Mann		713					
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	FK	6,088,803	7/11/00	Tso et al.		713		
	FL	6,088,804	7/11/00	Hill et al.		713		
	FM	6,092,194	7/18/00	Touboul		713		
	FN	6,098,173	8/1/00	Elgressy et a	al.	713		
	FO	6,119,234	9/12/00	Aziz et al.		713		
	FP	6,122,738	9/19/00	Millard		713		
	FQ	6,154,844	11/28/00	Touboul et a	al.	713		
	FR	6,167,520	12/26/00	Touboul		713		
	FS	6,185,689	2/6/01	Todd, Sr. et	al.	713		
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	FU	6,266,773	7/24/01	Kisor et al.		713		· · · · · · · · · · · · · · · · · · ·
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	FW	6,272,641	8/7/01	Ji		713		
	FX	6,275,938	8/14/01	Bond et al.		713		
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	HY	6,021,510	2/1/00	Nachenberg		714		
	HZ	6,029,256	2/22/00	Kouznetsov		714		
	IA	6,035,423	3/7/00	Hodges et al.		714		
	IB	6,094,731	7/25/00	Waldin et al.		714		
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	IN	6,517,587	2/11/03	Satyavol	u et al.	715			
	IO	6,535,227	3/18/03	Fox et al		715			
	IP	4,819,234	4/4/89	Huber		717			
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	JE	WO 02/056152	07/18/02	PCT		Psionic Software				
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FORM PTO-1449, Adapted LIST OF INFORMATION DISCLOSED BY APPLICANT (Use several sheets if necessary) ATTY. DOCKET NO. FILING DATE SERIAL NO. 05456.105034 09/447,500 November 23, 1999 APPLICANT GROUP **BOX 2/4** Robert David Graham 2131 **U.S. PATENT DOCUMENTS** EXAMINER DOCUMENT NUMBER DATE NAME CLASS SUBCLASS FILING DATE INITIAL IF APPROPRIATE FOREIGN PATENT DOCUMENTS TRANSLATION DOCUMENT NUMBER DATE COUNTRY NAME YES NO. OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.) Internet Security Systems, Inc., SAFEsuite Enterprise Edition, Project "Gatekeeper" 1.0, Market Requirements TF Document, March 30, 1998, pp. 1-12 TG Internet Security Systems, SAFEsuite Decisions, 2000, pp. 1-2 TH Internet Security Systems, Dynamic Threat Protection, Presse-Roundtable, Munich, Germany, April 10, 2003. pp. 1-63 ΤI Internet Security Systems, Preliminary ODM 1.0 Functional Specification, August 1997, pp. 1-7 TJ Internet Security Systems, Inc., Scanner-ISSDK Interface, Design Specification, June 2, 2000, Draft 1.07, pp. 1-7 TK RealSecure, Adaptive Network Security Manager Module Programmer's Reference Manual, pp. 1-74 TL Advanced Concept Technology Demonstrations (ACTD), 2005, pp. 1-28 TM Frank, Sounding the Alarm, September 6, 1999, Federal Computer Week, pp. 1-2 TN Crumb, Intrusion Detection Systems to be Integrated at AFRL, Air Force Research Laboratory, News@AFRL, Fall 1999, pp. 1 Temin, Case Study: The IA: AIDE System at Two, 15th Annual Computer Security Applications Conference. TO December 6-10, 1999, Phoenix, Arizona, pp. 1-26 TP Spink, Automated Intrusion Detection Environment (AIDE), Intrusion Detection Sensor Fusion, September 7, 1999, pp. 1-25 TQ Frincke et al., A Framework for Cooperative Intrusion Detection, 21st National Information Systems Security Conference, October 6-9, 1998, Crystal City, Virginia, pp. 1-20

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	VN	"Real Secure" 1-38.	"Real Secure™, Network Engine User Guide," Version 3.2.1, © 1999 by Internet Security Systems, Inc., pgs. 1-38.								
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	VZ	"Real Secure,	Console Us	ser Guide,"	Version	5.5, © 199?-2000, In	iternet Se	curity System	s, Inc., pgs. 1-162.		
	WA	"Internet Scan	"Internet Scanner™, User Guide," Version 5.8, © 1999 by Internet Security Systems, Inc., pgs. 1-148.								
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